P.R. No. 38791-6
Presented by Shri S K Verma
dated 24/7/06

100/-

SINGLE BENCH

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# In the Hon'ble High Court of Chhattisgarh, Bilaspur.

W.P.No(s). 4262 ...2006

**Petitioner** - Smt. S. Y. Rao, Aged 40 years,
W/o Tataiya Rao, A.N.M.,
Primary Health Center, Nikum,
Posted at Station Maroda,
Tahsil and Distt. Durg .

**Versus**

**Respondents**

1. The State Govt. of Chhattisgarh,
Through – The Secretary,
Health and Family Welfare Department,
Ministry, D.K.S. Bhawan, Raipur. (CG)

2. Civil Surgeon and Health Officer, Durg .
Dist. Durg (CG)

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8/7/06

**Writ Petition Under Articles 226/227 of The Constitution Of India for the issuance of WRIT in the nature of MANDAMUS certiorari, Prohibition and for other suitable writ or writs, order or orders, direction or directions.**

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** ...W.P.4262/ **सन् 2006**

(15)

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

**14-8-2006**

Mr. Ajay Shrivastava, counsel for the petitioner.

Mr. Sumesh Bajaj, Government Advocate for the State/respondents, on advance copy.

Heard both the counsel.

By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged her transfer order dated 7-7-2006, whereby she has been transferred from Primary Health Centre, Nikum, District: Durg to Dongargaon, District: Rajnandgaon.

Main grievance of the petitioner is that she has been transferred on a wrong ground showing that she has been transferred on her own request, whereas no such request was made by the petitioner.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.1 for bringing out this anomaly to his notice and respondent No.1 be directed to decide the same, to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merits of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation annexing a copy of this writ petition and its annexures to respondent No.1 within 10 days from today and in turn, respondent No.1 is directed to decide the representation of the petitioner

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** ....W.P.4262/ **सन् 2006**

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**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश - 2 - | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

within a period of 30 days from the date of its receipt, after considering the objections raised by the petitioner in an objective manner, in accordance with law. In the mean time, till the representation of the petitioner is decided, the effect and operation of the impugned order dated 7-7-2006 in respect of the petitioner is stayed.

With the directions aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.3305/2006 also stands disposed of.

Parties are entitled for certified copy of this order.

**Sd/-**
**L.C. Bhadoo**
**Judge**

Soma

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P.T.O.

18.8.06 22.8.06